

A RESOLUTION BY

TRANSPORTATION COMMITTEE

A RESOLUTION GIVING APPROVAL AND CONSENT TO THE ASSIGNMENT BY THE CHARNEL COMPANY, INC., OF ITS INTEREST IN THE JOINT VENTURE OF HOST INTERNATIONAL, INC./THE CHARNEL COMPANY, INC., TO NATIONAL CONCESSIONS MANAGEMENT, INC., FOR FC-6040-94, LEASE AGREEMENT FOR RETAIL CONCESSION CONCOURSE B, C, D AND T, AT WILLIAM B. HARTSFIELD ATLANTA INTERNATIONAL AIRPORT. THE NEW JOINT VENTURE SHALL BE HOST INTERNATIONAL, INC./NATIONAL CONCESSIONS MANAGEMENT, INC.

WHEREAS, the City did enter into FC-6040-94, Lease Agreement for Retail Concession for Concourse B, C, D and T at William B. Hartsfield Atlanta International Airport with Host International, Inc./The Charnel Company, Inc. ("Host/Charnel"); and

WHEREAS, on October 6, 2000, The Charnel Company, Inc. ("Charnel") did convey, transfer, and assign to National Concessions Management, LLC ("NCM") all of Charnel's right, title, and interest in and to the Host/Charnel Joint Venture Agreement, the Host/Charnel Joint Venture, and the Charnel liabilities, subject to the approval and consent of the City to the assignment; and

WHEREAS, Host International, Inc. ("Host") consented to the assignment of Charnel's right, title and interest in and to the Host/Charnel Joint Venture Agreement, the Host/Charnel Joint Venture and the Charnel liabilities to NCM; and

WHEREAS, the Aviation General Manager and the Purchasing Agent of the Bureau of Purchasing and Real Estate have recommended that the City give approval and consent to the said assignment.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the assignment by The Charnel Company, Inc., of its rights, title and interest in, to and under the Host/Charnel joint venture and joint venture agreement, and the Charnel liabilities, for FC-6040-94, Lease Agreement for Retail Concession for Concourse B, C, D and T, at William B. Hartsfield Atlanta International Airport, to National Concessions Management, LLC, be and is hereby approved on behalf of the City of Atlanta. The Mayor be and is hereby authorized to execute an appropriate instrument evidencing such approval and giving consent on behalf of the City of Atlanta, with such assignment to be effective as of October 6, 2000.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare appropriate instruments evidencing the approval and consent on the part of the City of Atlanta to the assignment by Charnel to NCM for FC-6040-94, Lease Agreement for Retail Concession for Concourse B, C, D, and T at William B. Hartsfield Atlanta International Airport, said assignment described hereinabove, for execution by the Mayor and approved as to form by the City Attorney.

BE IT FINALLY RESOLVED, that any instrument evidencing consent to the assignment set forth herein shall not become binding upon the City, and the City shall not incur any obligation or liability thereunder until the same has been signed by the Mayor and delivered to Host, Charnel,

and NCM. Once the instrument becomes binding, the City's lease agreement FC-6040-94 shall be with the joint venture team Host International, Inc./National Concessions Management, Inc.

TRANSMITTAL FORM FOR LEGISLATION

TO MAYOR'S OFFICE:

Greg Pridgeon

Commissioner's Signature

Director's Signature

Originating Department : DAS/ Purchasing

Contact (name) Felicia Strong-Whitaker

Committee(s) of Purview: TRANS

Council Deadline: June 29, 2001

Committee Meeting Date(s): July 11, 2001

Full Council Date: July 16, 2001

CAPTION:

A RESOLUTION GIVING APPROVAL AND CONSENT TO THE ASSIGNMENT BY THE CHARNEL COMPANY, INC., OF ITS INTEREST IN THE JOINT VENTURE OF HOST INTERNATIONAL, INC./THE CHARNEL COMPANY, INC., TO NATIONAL CONCESSIONS MANAGEMENT, INC., FOR FC-6040-94, LEASE AGREEMENT FOR RETAIL CONCESSION CONCOURSE B, C, D AND T , AT WILLIAM B. HARTSFIELD ATLANTA INTERNATIONAL AIRPORT. THE NEW JOINT VENTURE SHALL BE HOST INTERNATIONAL, INC./NATIONAL CONCESSIONS MANAGEMENT, INC.

BACKGROUND:

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by Mayor's Office: 6/29/01 (date)

Reviewed by: JS (initials)(date)

Submitted to Council: _____ (date)

Action by Committee: Approved _____ Adversed _____ Held _____ Amended _____
Substitute _____ Referred _____ Other _____